

1 AN ACT

2 relating to the creation and re-creation of funds and accounts, the  
3 dedication and rededication of revenue and allocation of accrued  
4 interest on dedicated revenue, and the exemption of unappropriated  
5 money from use for general governmental purposes.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. DEFINITION. In any provision of this Act that  
8 does not amend current law, "state agency" means an office,  
9 institution, or other agency that is in the executive branch or the  
10 judicial branch of state government, has authority that is not  
11 limited to a geographical portion of the state, and was created by  
12 the constitution or a statute of this state. The term does not  
13 include an institution of higher education as defined by Section  
14 [61.003](#), Education Code.

15 SECTION 2. ABOLITION OF FUNDS, ACCOUNTS, AND DEDICATIONS.  
16 Except as otherwise specifically provided by this Act, all funds  
17 and accounts created or re-created by an Act of the 86th  
18 Legislature, Regular Session, 2019, that becomes law and all  
19 dedications or rededications of revenue collected by a state agency  
20 for a particular purpose by an Act of the 86th Legislature, Regular  
21 Session, 2019, that becomes law are abolished on the later of August  
22 31, 2019, or the date the Act creating or re-creating the fund or  
23 account or dedicating or rededicating revenue takes effect.

24 SECTION 3. PREVIOUSLY EXEMPT DEDICATIONS, FUNDS, AND

1 ACCOUNTS. Section 2 of this Act does not apply to:

2 (1) statutory dedications, funds, and accounts that  
3 were enacted before the 86th Legislature convened to comply with  
4 requirements of state constitutional or federal law;

5 (2) dedications, funds, or accounts that remained  
6 exempt from former Section 403.094(h), Government Code, at the time  
7 dedications, accounts, and funds were abolished under that  
8 provision;

9 (3) increases in fees or in other revenue dedicated as  
10 described by this section; or

11 (4) increases in fees or in other revenue required to  
12 be deposited in a fund or account described by this section.

13 SECTION 4. FEDERAL FUNDS. Section 2 of this Act does not  
14 apply to funds created under an Act of the 86th Legislature, Regular  
15 Session, 2019, for which separate accounting is required by federal  
16 law, except that the funds shall be deposited in accounts in the  
17 general revenue fund unless otherwise required by federal law.

18 SECTION 5. TRUST FUNDS. Section 2 of this Act does not  
19 apply to trust funds or dedicated revenue deposited to trust funds  
20 created under an Act of the 86th Legislature, Regular Session,  
21 2019, except that the trust funds shall be held in the state  
22 treasury, with the comptroller in trust, or outside the state  
23 treasury with the comptroller's approval.

24 SECTION 6. BOND FUNDS. Section 2 of this Act does not apply  
25 to bond funds and pledged funds created or affected by an Act of the  
26 86th Legislature, Regular Session, 2019, except that the funds  
27 shall be held in the state treasury, with the comptroller in trust,

1 or outside the state treasury with the comptroller's approval.

2 SECTION 7. CONSTITUTIONAL FUNDS. Section 2 of this Act does  
3 not apply to funds or accounts that would be created or re-created  
4 by the Texas Constitution or revenue that would be dedicated or  
5 rededicated by the Texas Constitution under a constitutional  
6 amendment proposed by the 86th Legislature, Regular Session, 2019,  
7 or to dedicated revenue deposited to funds or accounts that would be  
8 so created or re-created, if the constitutional amendment is  
9 approved by the voters.

10 SECTION 8. ADDITIONAL USES FOR DEDICATED FUNDS OR ACCOUNTS.  
11 Section 2 of this Act does not apply to a newly authorized use of a  
12 dedicated fund or dedicated account as provided by an Act of the  
13 86th Legislature, Regular Session, 2019, to the extent:

14 (1) the fund or account was exempted from abolition by  
15 an Act of the legislature that became law before January 1, 2019;  
16 and

17 (2) the newly authorized use is within the scope of the  
18 original dedication of the fund or account.

19 SECTION 9. TEXAS B-ON-TIME STUDENT LOAN ACCOUNT. (a)  
20 Section 56.0092(d), Education Code, is amended to read as follows:

21 (d) On September 1, 2024 [~~2020~~], the Texas B-On-time student  
22 loan account is abolished, and any remaining money in the account  
23 may be appropriated only to eligible institutions in the manner  
24 provided by Subsection (e).

25 (b) Section 2 of this Act does not apply to the dedication of  
26 money in the Texas B-On-time student loan account as rededicated by  
27 this Act.

1           SECTION 10. ACCOUNTS IN GENERAL REVENUE FUND. Effective on  
2 the later of the effective date of the Act creating or re-creating  
3 the specified account or August 31, 2019, the following accounts,  
4 the revenue deposited to the credit of those accounts, and the  
5 revenue dedicated for deposit to the credit of those accounts, are  
6 exempt from Section 2 of this Act and the accounts are created or  
7 re-created in the general revenue fund, if created or re-created by  
8 an Act of the 86th Legislature, Regular Session, 2019, that becomes  
9 law:

10           (1) the identification fee exemption account, created  
11 as an account in the general revenue fund by House Bill No. 123 or  
12 similar legislation;

13           (2) the newborn screening preservation account,  
14 created as an account in the general revenue fund by House Bill  
15 No. 1111, Senate Bill No. 748, or similar legislation;

16           (3) the cultivated oyster mariculture cleanup  
17 subaccount in the game, fish, and water safety account, created as a  
18 subaccount by House Bill No. 1300 or similar legislation;

19           (4) the state hemp production account, created as an  
20 account in the general revenue fund by House Bill No. 1325 or  
21 similar legislation;

22           (5) the dedicated account in the general revenue fund  
23 for proceeds from the sale of certain historic property, created by  
24 House Bill No. 1422 or similar legislation;

25           (6) the disaster recovery loan account, created as an  
26 account in the general revenue fund by House Bill No. 2300 or  
27 similar legislation;

1           (7) the Texas music incubator account, created as an  
2 account in the general revenue fund by House Bill No. 2806 or  
3 similar legislation;

4           (8) the border security infrastructure enhancement  
5 fund, created as an account in the general revenue fund by House  
6 Bill No. 4306 or similar legislation;

7           (9) the historic site account, re-created as an  
8 account in the general revenue fund by Senate Bill No. 26 or similar  
9 legislation;

10          (10) the specialty court account, the DNA testing  
11 account, and the transportation administrative fee account,  
12 created as accounts in the general revenue fund by Senate Bill  
13 No. 346 or similar legislation;

14          (11) the safety training account, created as an  
15 account in the general revenue fund by Senate Bill No. 568 or  
16 similar legislation;

17          (12) the veterans treatment court account, created as  
18 an account in the general revenue fund by Senate Bill No. 1180 or  
19 similar legislation; and

20          (13) the coastal erosion response account, re-created  
21 as an account in the general revenue fund by Senate Bill No. 1719 or  
22 similar legislation.

23          SECTION 11. SEPARATE FUNDS. Effective on the later of the  
24 effective date of the Act creating or re-creating the specified  
25 fund or August 31, 2019, the following funds, if created or  
26 re-created by an Act of the 86th Legislature, Regular Session,  
27 2019, the revenue deposited to the funds, and the revenue dedicated

1 for deposit to the funds, are exempt from Section 2 of this Act, and  
2 the funds are created or re-created as separate funds inside or  
3 outside of the state treasury, as specified by the Act creating or  
4 re-creating the fund:

5 (1) the tax reduction and excellence in education  
6 fund, created as a special fund in the treasury by House Bill No. 3  
7 or similar legislation;

8 (2) the pesticide disposal fund, created as a special  
9 fund in the treasury by House Bill No. 191 or similar legislation;

10 (3) the disaster reinvestment and infrastructure  
11 planning revolving fund, created as a special fund outside of the  
12 treasury by House Bill No. 274 or similar legislation;

13 (4) the cannabis testing and quality control fund,  
14 created as provided by House Bill No. 1365 or similar legislation;

15 (5) the Texas-bred incentive fund, created as an  
16 escrow account in the treasury by House Bill No. 3366 or similar  
17 legislation;

18 (6) the Texas emissions reduction plan fund, created  
19 as a trust fund outside the treasury to be held by the comptroller  
20 and administered by the Texas Commission on Environmental Quality  
21 as trustee by House Bill No. 3745 or similar legislation;

22 (7) the Texas innovation fund and state agency  
23 technology upgrades account, created as special funds outside of  
24 the treasury by House Bill No. 4214 or similar legislation;

25 (8) the flood infrastructure fund, created as a  
26 special fund in the treasury by Senate Bill No. 7 or similar  
27 legislation;

1           (9) the Texas infrastructure resiliency fund, created  
2 as a special fund in the treasury by Senate Bill No. 7 or similar  
3 legislation;

4           (10) the Texas leverage fund, created as a trust fund  
5 held outside the treasury by the comptroller as trustee by Senate  
6 Bill No. 132 or similar legislation;

7           (11) the jury service fund, created as a fund in the  
8 treasury by Senate Bill No. 346 or similar legislation; and

9           (12) the charter school liquidation fund, created as  
10 provided by Senate Bill No. 1454 or similar legislation.

11           SECTION 12. REVENUE DEDICATIONS. Effective on the later of  
12 the effective date of the Act dedicating or rededicating the  
13 specified revenue or August 31, 2019, the following dedications or  
14 rededications of revenue collected for a particular purpose are  
15 exempt from Section 2 of this Act, if dedicated or rededicated by an  
16 Act of the 86th Legislature, Regular Session, 2019:

17           (1) the dedication of certain tax revenue to the drug  
18 court account provided by House Bill No. 1243 or similar  
19 legislation;

20           (2) the dedication of certain fee revenue to the Texas  
21 Department of Motor Vehicles fund provided by House Bill No. 1548  
22 or similar legislation;

23           (3) the dedication of revenue to the state highway  
24 fund provided by House Bill No. 1649 or similar legislation;

25           (4) the dedication of certain fee revenue to the Texas  
26 Department of Motor Vehicles fund provided by House Bill No. 1711 or  
27 similar legislation;

1           (5) the dedication of certain administrative penalty  
2 revenue to the sexual assault program fund provided by House Bill  
3 No. 1735 or similar legislation;

4           (6) the dedication of revenue to the state lottery  
5 account provided by House Bill No. 1790 or similar legislation;

6           (7) the dedication of certain assessment revenue to  
7 the account with the Texas Treasury Safekeeping Trust Company  
8 provided by House Bill No. 1880 or similar legislation;

9           (8) the dedication of certain revenue to the Texas  
10 Racing Commission account in the general revenue fund provided by  
11 House Bill No. 1995 or similar legislation;

12           (9) the dedication of certain administrative penalty  
13 revenue to the freestanding emergency medical care facility  
14 licensing fund provided by House Bill No. 2041 or similar  
15 legislation;

16           (10) the dedication of grants or donations to the  
17 state highway fund provided by House Bill No. 2043 or similar  
18 legislation;

19           (11) the dedication of certain revenue to the  
20 designated trauma facility and emergency medical services account  
21 provided by House Bill No. 2048 or similar legislation;

22           (12) the dedication of fee revenue to the Texas  
23 mobility fund provided by House Bill No. 2478 or similar  
24 legislation;

25           (13) the dedication of revenue provided by House Bill  
26 No. 2587 or similar legislation;

27           (14) the dedication of certain fee revenue to the

1 Texas Department of Motor Vehicles fund provided by House Bill  
2 No. 2620 or similar legislation;

3 (15) the dedication of revenue to the Texas water  
4 resources fund provided by House Bill No. 4116 or similar  
5 legislation;

6 (16) the dedication of revenue to the foundation  
7 school fund provided by House Bill No. 4306 or similar legislation;

8 (17) the dedication of the proceeds from the sale,  
9 lease, or other disposition of certain state property to the Texas  
10 capital trust fund provided by House Bill No. 4541 or similar  
11 legislation;

12 (18) the dedication of revenue provided by Senate Bill  
13 No. 7 or similar legislation;

14 (19) the dedication of revenue provided by Senate Bill  
15 No. 26 or similar legislation;

16 (20) the dedication of administrative penalty revenue  
17 to the sexual assault program fund provided by Senate Bill No. 212  
18 or similar legislation;

19 (21) the dedication of gifts, grants, and donations to  
20 the motorcycle education fund account provided by Senate Bill No.  
21 616 or similar legislation;

22 (22) the dedication of fee revenue to the game, fish,  
23 and water safety account provided by Senate Bill No. 733 or similar  
24 legislation; and

25 (23) the dedication of fee revenue to the food and drug  
26 retail fee account provided by Senate Bill No. 932 or similar  
27 legislation.

1 SECTION 13. REALLOCATION OF INTEREST ACCRUED ON CERTAIN  
2 DEDICATED REVENUE. Effective September 1, 2019, Section 403.0956,  
3 Government Code, is reenacted to read as follows:

4 Sec. 403.0956. REALLOCATION OF INTEREST ACCRUED ON CERTAIN  
5 DEDICATED REVENUE. Notwithstanding any other law, all interest or  
6 other earnings that accrue on all revenue held in an account in the  
7 general revenue fund any part of which Section 403.095 makes  
8 available for certification under Section 403.121 are available for  
9 any general governmental purpose, and the comptroller shall deposit  
10 the interest and earnings to the credit of the general revenue fund.  
11 This section does not apply to:

12 (1) interest or earnings on revenue deposited in  
13 accordance with Section 51.008, Education Code;

14 (2) an account that accrues interest or other earnings  
15 on deposits of state or federal money the diversion of which is  
16 specifically excluded by federal law;

17 (3) the lifetime license endowment account;

18 (4) the game, fish, and water safety account;

19 (5) the coastal protection account;

20 (6) the Alamo complex account; or

21 (7) the artificial reef account.

22 SECTION 14. AMENDMENT OF SECTION 403.095, GOVERNMENT CODE.  
23 Effective September 1, 2019, Sections 403.095(b), (d), and (f),  
24 Government Code, are amended to read as follows:

25 (b) Notwithstanding any law dedicating or setting aside  
26 revenue for a particular purpose or entity, dedicated revenues that  
27 on August 31, 2021 [~~2019~~], are estimated to exceed the amount

1 appropriated by the General Appropriations Act or other laws  
2 enacted by the 86th [~~85th~~] Legislature are available for general  
3 governmental purposes and are considered available for the purpose  
4 of certification under Section 403.121.

5 (d) Following certification of the General Appropriations  
6 Act and other appropriations measures enacted by the 86th [~~85th~~]  
7 Legislature, the comptroller shall reduce each dedicated account as  
8 directed by the legislature by an amount that may not exceed the  
9 amount by which estimated revenues and unobligated balances exceed  
10 appropriations. The reductions may be made in the amounts and at  
11 the times necessary for cash flow considerations to allow all the  
12 dedicated accounts to maintain adequate cash balances to transact  
13 routine business. The legislature may authorize, in the General  
14 Appropriations Act, the temporary delay of the excess balance  
15 reduction required under this subsection. This subsection does not  
16 apply to revenues or balances in:

- 17 (1) funds outside the treasury;
- 18 (2) trust funds, which for purposes of this section  
19 include funds that may or are required to be used in whole or in part  
20 for the acquisition, development, construction, or maintenance of  
21 state and local government infrastructures, recreational  
22 facilities, or natural resource conservation facilities;
- 23 (3) funds created by the constitution or a court; or
- 24 (4) funds for which separate accounting is required by  
25 federal law.

26 (f) This section expires September 1, 2021 [~~2019~~].

27 SECTION 15. AMENDMENT OF SECTION 504.6012, TRANSPORTATION

1 CODE. Effective September 1, 2019, Section 504.6012,  
2 Transportation Code, is amended to read as follows:

3 Sec. 504.6012. ELIMINATION OF DEDICATED REVENUE ACCOUNTS;  
4 REVENUES IN TRUST. (a) Notwithstanding any other law, not later  
5 than September 30, 2019 [~~2015~~], the comptroller shall eliminate all  
6 dedicated accounts established for specialty license plates and  
7 shall set aside the balances of those dedicated accounts so that the  
8 balances may be appropriated only for the purposes intended as  
9 provided by the dedications.

10 (b) On and after September 1, 2019 [~~2015~~], the portion of a  
11 fee payable that is designated for deposit to a dedicated account  
12 shall be paid instead to the credit of an account in a trust fund  
13 created by the comptroller outside the general revenue fund. The  
14 comptroller shall administer the trust fund and accounts and may  
15 allocate the corpus and earnings on each account only in accordance  
16 with the dedications of the revenue deposited to the trust fund  
17 accounts.

18 SECTION 16. CLEAN AIR ACCOUNT; DEDICATION OF REVENUE. (a)  
19 Section 382.05155(d), Health and Safety Code, is amended to read as  
20 follows:

21 (d) The commission by rule may add a surcharge to an  
22 application fee assessed under this chapter for an expedited  
23 application in an amount sufficient to cover the expenses incurred  
24 by the expediting, including overtime, contract labor, and other  
25 costs. The surcharge is considered part of the application fee and  
26 shall be deposited with the fee to the credit of the clean air  
27 account established under Section 382.0622(b).

1 (b) Section 2 of this Act does not apply to the dedication of  
2 money made by Subsection (a) of this section.

3 SECTION 17. COMMERCIAL GULF SHRIMP UNLOADING LICENSING FEE;  
4 DEDICATION OF REVENUE. (a) Section 77.034(d), Parks and Wildlife  
5 Code, is amended to read as follows:

6 (d) The fee for a commercial gulf shrimp unloading license  
7 is \$1485, or an amount set by the commission, whichever amount is  
8 more. Revenue from the fee shall be deposited to the credit of the  
9 game, fish, and water safety account established under Section  
10 11.032.

11 (b) Section 2 of this Act does not apply to money dedicated  
12 to the game, fish, and water safety account by Section 77.034(d),  
13 Parks and Wildlife Code, as amended by this Act.

14 SECTION 18. STRATEGIC MAPPING ACCOUNT. (a) Section  
15 16.023, Water Code, as added by Section 2.13, Chapter 1430 (S.B. 3),  
16 Acts of the 80th Legislature, Regular Session, 2007, is reenacted  
17 to read as follows:

18 Sec. 16.023. STRATEGIC MAPPING ACCOUNT. (a) The strategic  
19 mapping account is an account in the general revenue fund. The  
20 account consists of:

- 21 (1) money directly appropriated to the board;
- 22 (2) money transferred by the board from other funds  
23 available to the board;
- 24 (3) money from gifts or grants from the United States  
25 government, state, regional, or local governments, educational  
26 institutions, private sources, or other sources;
- 27 (4) proceeds from the sale of maps, data,

1 publications, and other items; and

2 (5) interest earned on the investment of money in the  
3 account and depository interest allocable to the account.

4 (b) The account may be appropriated only to the board to:

5 (1) develop, administer, and implement the strategic  
6 mapping program;

7 (2) provide grants to political subdivisions for  
8 projects related to the development, use, and dissemination of  
9 digital, geospatial information; and

10 (3) administer, implement, and operate other programs  
11 of the Texas Natural Resources Information System, including:

12 (A) the operation of a Texas-Mexico border region  
13 information center for the purpose of implementing Section  
14 16.021(e)(5);

15 (B) the acquisition, storage, and distribution  
16 of historical maps, photographs, and paper map products;

17 (C) the maintenance and enhancement of  
18 information technology; and

19 (D) the production, storage, and distribution of  
20 other digital base maps, as determined by the executive  
21 administrator.

22 (c) The board may invest, reinvest, and direct the  
23 investment of any available money in the fund as provided by law for  
24 the investment of money under Section [404.024](#), Government Code.

25 (b) The strategic mapping account is re-created by this Act  
26 as an account in the general revenue fund, and all revenue dedicated  
27 for deposit to the credit of the strategic mapping account is

1 rededicated by this Act for that purpose. Section 2 of this Act  
2 does not apply to the account as re-created by this Act or a  
3 dedication of revenue to the account as rededicated by this Act.

4 SECTION 19. WATER RESOURCE MANAGEMENT ACCOUNT; DEDICATION  
5 OF REVENUE. (a) Section 28A.101(c), Water Code, is reenacted to  
6 read as follows:

7 (c) Registration fees collected under this section shall be  
8 deposited in the water resource management account and may be used  
9 only to implement this chapter.

10 (b) Money dedicated by Section 28A.101(c), Water Code, as  
11 added by Chapter 107 (H.B. 571), Acts of the 82nd Legislature,  
12 Regular Session, 2011, to the water resource management account for  
13 the purposes described by Section 28A.101(c) is rededicated by this  
14 Act, and Section 2 of this Act does not apply to the rededication of  
15 that money.

16 SECTION 20. EFFECT OF ACT. (a) This Act prevails over any  
17 other Act of the 86th Legislature, Regular Session, 2019,  
18 regardless of the relative dates of enactment, that purports to  
19 create or re-create a special fund or account or to dedicate or  
20 rededicate revenue to a particular purpose, including any fund,  
21 account, or revenue dedication abolished under former Section  
22 403.094, Government Code.

23 (b) An exemption from the application of Section 403.095,  
24 Government Code, contained in another Act of the 86th Legislature,  
25 Regular Session, 2019, that is exempted from the application of  
26 Section 2 of this Act has no effect.

27 (c) Revenue that, under the terms of another Act of the 86th

1 Legislature, Regular Session, 2019, would be deposited to the  
2 credit of a special account or fund shall be deposited to the credit  
3 of the undedicated portion of the general revenue fund unless the  
4 fund, account, or dedication is exempted under this Act.

5 SECTION 21. EFFECTIVE DATE. Except as otherwise provided  
6 by this Act:

7 (1) this Act takes effect immediately if this Act  
8 receives a vote of two-thirds of all the members elected to each  
9 house, as provided by Section 39, Article III, Texas Constitution;  
10 and

11 (2) if this Act does not receive the vote necessary for  
12 immediate effect, this Act takes effect on the 91st day after the  
13 last day of the legislative session.

---

President of the Senate

---

Speaker of the House

I certify that H.B. No. 3317 was passed by the House on April 18, 2019, by the following vote: Yeas 120, Nays 14, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3317 on May 24, 2019, by the following vote: Yeas 131, Nays 10, 2 present, not voting.

---

Chief Clerk of the House

I certify that H.B. No. 3317 was passed by the Senate, with amendments, on May 22, 2019, by the following vote: Yeas 31, Nays 0.

---

Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

---

Governor